

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

BMG RIGHTS MANAGEMENT (US) LLC, and)
ROUND HILL MUSIC LP,)

Plaintiff,

V.

COX ENTERPRISES, INC., COX COMMUNICATIONS, INC., and COXCOM, LLC,

Defendants.

Case No. 1:14-cv-1611 (LOG/JFA)

**COX’S MOTION TO EXCLUDE THE TESTIMONY
OF PUTATIVE EXPERT WILLIAM LEHR, Ph.D.**

Pursuant to Federal Rules of Evidence 702, 402, and 403, and *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993), Defendants Cox Communications, Inc. and CoxCom, LLC (collectively “Cox”) respectfully move this Court to enter an order precluding the testimony of Plaintiffs’ putative expert William Lehr, Ph.D. Cox states the specific grounds for its motion in the accompanying Memorandum in Support of Cox’s Motion to Exclude the Testimony of Putative Expert William Lehr, Ph.D. A Proposed Order is filed herewith.

Respectfully submitted,

Dated: October 23, 2015

/s/ *Craig C. Reilly*

Craig C. Reilly (VSB No. 20942)

111 Oronoco Street

Alexandria, VA 22314

Tel: (703) 549-5354

Fax: (703) 549-5355

Email: craig.reilly.@ccreillylaw.com

Counsel for Defendants

Of Counsel for Defendants

Andrew P. Bridges (*pro hac vice*)
David L. Hayes (*pro hac vice*)
Jedediah Wakefield (*pro hac vice*)
Guinevere L. Jobson (*pro hac vice*)
Fenwick & West LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Tel: (415) 875-2300
Fax: (415) 281-1350
Email: abridges@fenwick.com
dhayes@fenwick.com
jwakefield@fenwick.com
gjobson@fenwick.com

Brian D. Buckley (*pro hac vice*)
Fenwick & West LLP
1191 2nd Avenue, 10th Floor
Seattle, WA 98101
Tel: (206) 389-4510
Fax: (206) 389-4511
Email: bbuckley@fenwick.com

Armen N. Nercessian (*pro hac vice*)
Ronnie Solomon (*pro hac vice*)
Ciara Mittan (*pro hac vice*)
Fenwick & West LLP
801 California Street
Mountain View, CA 94041
Tel: (650) 988-8500
Fax: (650) 938-5200
Email: anercessian@fenwick.com
rsolomon@fenwick.com
cmittan@fenwick.com

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2015, the foregoing was filed and served electronically by the Court's CM/ECF system upon all registered users.

/s/ Craig C. Reilly

Craig C. Reilly (VSB No. 20942)

111 Oronoco Street

Alexandria, VA 22314

Tel: 703-549-5354

Fax: (703) 549-5355

Email: craig.reilly.@ccreillylaw.com

Counsel for Defendants